



**CERTIFIED MAIL**

Mackenzie B. Alpert  
531 Dilworth Mews Court  
Charlotte, NC 28203

**RE: VARIANCE**  
**531 Dilworth Mews Court**  
**CASE NUMBER 10-011**

Dear Mr. Alpert:

At its meeting on April 27, 2010, the City of Charlotte Zoning Board of Adjustment ("Board") **granted** a one (1) foot variance request to allow the construction of a porch.

**The Board based its decision on the following findings of fact:**

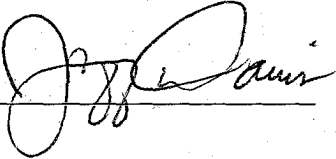
1. The applicant is Mackenzie B. Alpert (represented by Ashley Jimenez w/Ashley J. Design).
2. The proposed site is located at 531 Dilworth Mews Court, further identified as tax parcel
3. 121-093-54.
4. The subject parcel's current zoning classification is R-5 (residential).
5. The existing lot is approximately 6,507 square feet and meets the requirements for the minimum lot area for a detached dwelling which is 6,000 square feet.
6. The survey submitted by the applicant indicates the existing structure is in compliance.
7. The variance will not alter the essential character of the neighborhood.
8. The proposed stairs will encroach four (4) feet into the required setback.
9. The lot is unique and irregularly shaped.
10. The variance request is small in context.
11. There are only two other lots on the street cul-de-sac and they will not be affected by the variance.
12. The hardship is the result of the road that curves around the front and side of the applicant's lot.

**Based upon the above findings of fact, the Board concludes that the applicant has met each of the three standards stated in §5.108(1) of the Ordinance, and more specifically:**

1. The variance is in harmony with the general purpose and intent of the Ordinance and further preserves its spirit.
2. In granting the variance the public safety and welfare have been assured and substantial justice has been done.

All applicable permits must be obtained from the Planning Department, which has been notified of this decision. The Ordinance §5.111, provides that unless otherwise specified by the Board, any decision of the Board granting a variance shall automatically expire if a permit or a certificate of occupancy pertaining to the need for the variance is not obtained within two (2) years from the date of the meeting of the Board at which the Board rendered its decision.

Sincerely,

  
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Jeff Davis  
Chairperson

Cc: Ashley Jimenez-Ashley J. Designs

**DECISION FILED IN THE PLANNING DEPARTMENT:**

Date

May 20, 2010

  
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Katrina Young, Zoning Administrator